

REMARKS

The last Official Action in the above-identified application has been carefully considered. The Examiner's indication that claims 3, 6-11, 14, 17-22, 25, 27 and 29-34 would be allowable if rewritten in independent form including all of the features of the base claim is greatly appreciated. This amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

By this amendment, claims 1, 12, 23, 26, 36 and 37 have been amended. Claims 38-41 have been added. Claims 1 through 41 remain pending in this application.

In Section 2 of the Official Action, claims 1, 2, 4, 5, 12, 13, 15, 16, 23, 24, 26 and 28 have been rejected under 35 U.S.C. §102(b) as being anticipated by Nakanishi et al. (U.S. Patent 5,959,423). The Nakanishi et al. reference relates to a mobile work robot system which includes a mobile robot which is equipped to perform prescribed tasks, such as cleaning building floors. The Examiner relies upon the description at col. 7, lines 8-16 of Nakanishi et al. as disclosing that the robot apparatus performs a predetermined movement in accordance with an amount of charging in the charging battery on charging the charging battery using the charging device as claimed by applicants in claims 1, 12, 23 and 26 of this application. Applicants respectfully submit that they are unable to find such support for this feature of applicants' claimed application in the relied-upon section of Nakanishi et al. All that section in Nakanishi et al. describes is that maintenance of the robot can be performed by the control section. There is no disclosure of predetermined movement of the robot based upon the amount of charging as claimed by applicants nor any suggestion thereof.

Nevertheless, in order to further distinguish applicants' claimed invention from Nakanishi et al., independent claims 1, 12, 23, and 26 have been amended herein to recite, in one form or another, that the robot apparatus includes charging indicating means for performing a predetermined movement to indicate an amount of charging in the charging battery on charging the charging battery using the charging device. For those reasons set forth above, the mobile robot system of Nakanishi et al. completely fails to teach or suggest this feature of applicants' claimed invention. Accordingly, it is believed that the Examiner's rejection of claims 1, 2, 4, 5, 12, 13, 15, 16, 23, 24, 26 and 28 based upon 35 U.S.C. §102(b) has been overcome by the present amendment and remarks and withdrawal thereof is respectfully requested.

In Section 3 of the Official Action, claims 36 and 37 have been rejected under 35 U.S.C. §102(b) as being anticipated by Colens (U.S. Pat. 5,787,545). The Colens reference relates to an automatic machine and device for floor dusting. This device in Colens includes a charging unit integrated to the central device to recharge the rechargeable batteries contained in the mobile robot machine. In addition, the microprocessor of the electronic central unit in Colens is associated to an algorithm for avoiding the obstacles and searching the central suction device and the charging unit.

The Examiner has relied upon the description of col. 5, lines 19-34 of Colens as disclosing that when it is recognized that the predetermined area is rocked on the basis of detection result of the detection means in a state in which generation of the movement is stopped, the control means controls the movement generating means to start generation of the movement as claimed by applicants in claim 36. Applicants respectfully submit that they do not find such support in the Examiner's relied-upon section as that section discusses movement of the robot based upon the given algorithm. There is no disclosure or suggestion in this relied-upon section

of when a predetermined area being rocked on the basis of detection result of the detection means in a state in which generation of the movement is stopped, the control means controls a movement generating means to start generation of movement as claimed by applicants in claim 37.

Nevertheless, in order to further distinguish applicants' claim invention from Colens, claim 36 now recites that the predetermined area rocked is a body portion of the robot apparatus. This advantageously allows the robot to have an impression of a living thing which lends to the same feeling of intimacy or affection to the user as that of a pet. Applicants respectfully submit that no such rocking of a body part capability is taught or suggested in the robot system of Colens. Based upon the foregoing, it is believed that the Examiner's rejection of claims 36 and 37 based upon 35 U.S.C. §102(b) has been overcome by the present amendment and remarks and withdrawal thereof is respectfully requested.

As aforementioned, the Examiner has indicated that claims 3, 6-11, 14, 17-22, 25, 27 and 29-34 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the features of the base claim. As a result, new claims 38-41 have been added by this amendment. New independent claim 38 incorporates the features of previously presented claims 1 and 3. New independent claim 39 incorporates the features of previously presented claims 12 and 14. New independent claim 40 incorporates the features of previously presented claims 23 and 25. New independent claim 41 incorporates the features of previously presented claims 26 and 27. Based upon the Examiner's comments in Section 4 of the Official Action, it is believed that new claims 38-41 are in condition for allowance.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

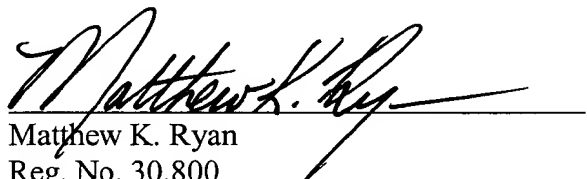
An additional fee of \$408.00 is deemed to be required for the additional claims presented by this amendment. Please charge any additional fees or credit any overpayment for this application to Deposit Account No. 50-0320.

A Notice of Allowance is earnestly solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:


Matthew K. Ryan
Reg. No. 30,800
(212) 588-0800